

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MIKE PEREZ, : **CIVIL ACTION NO. 1:04-CV-1944**

:
Plaintiff : **(Judge Conner)**

:
v. :

UNITED STATES OF AMERICA, :
:

:
Defendant :

ORDER

AND NOW, this 24th day of June, 2005, upon consideration of plaintiff's motion for reconsideration (Doc. 83) of the order of court (Doc. 65) dated April 28, 2005, denying plaintiff's motion for injunctive relief (Doc. 38), and it appearing that plaintiff has filed a notice of appeal (Doc. 70) from the order of court (Doc. 65) and that the appeal is currently pending before the United States Court of Appeals for the Third Circuit (Doc. 74), see Venen v. Sweet, 758 F.2d 117, 121 (3d Cir. 1985) (stating that filing of a notice of appeal divests district court of jurisdiction over issues related to appeal), cited in United States v. Wilkes, 368 F. Supp. 2d 366, 367 n.2 (M.D. Pa. 2005), it is hereby ORDERED that the motion for reconsideration (Doc. 83) is DENIED without prejudice.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge